Previous references.

Pris 8—05—1-28(A)

1909.

(Prisons)

File No. 61-09

Serial Nos. 1 92

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 92

Part B. for April 1910

SUBJECT.

Maintenance of harmless Lunatic Asylum at Government cost in cases of extreme poverty

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1. From the Deputy Commissioner, Mysore District No 717 dy 4-4-10. States that a harmless lunatic woman was produced before the 1st class magistrate, Mysore, but that that officer finding her neither dangerous to herself nor to others directs that her relatives should take care of her or bear the cost of her maintenance in the Lunatic Asylum; but that her relatives have neglected her on the score of poverty and solicits the orders of Govt as to whether in cases of this kind the patients may be sent

G. R. S. 58 to the Lunatic Asylum to be maintained at Government cost

2 To the Dy. Comr. Mysore Dt No 132/38 dy 26-4-10 Issues certain instructions and refers back the case to him for disposal in accordance with the instruc

G.R.S. 11] 1910.

GENERAL AND REVENUE SECRETARIAT.

(Prisons)

NOTES.

File No. 61—0

FILE HEADING.

Maintenance of harmless lunatics in the Lunatic Asylum at Government cost in Cases of extreme poverty.

From

The Deputy Commissioner, Mysore District.

No. 717 Dated 4.4.10 Received 7.4.10.

Diary No. 12544 Enclos. 1 file Spare Copies — Serial No. 1

BRIEF ABSTRACT OF LETTER.

States that a harmless lunatic woman was produced before the 1st Class Magistrate, Mysore, but that Officer finding her neither dangerous to herself nor to others, directed that her relatives should take care of her or bear the cost of her maintenance in the Lunatic Asylum; but that her relatives have neglected her on the score of poverty and solicits the orders of Government as to whether in cases of this kind the patients may be sent to the Lunatic Asylum to be maintained there at Govt. cost.

NOTES AND ORDERS.

1 Basamma, a lunatic, was produced before the 1st Magte. of Mysore, on the Complaint of her brother, who desired her confinement in our Asylum, as she was troublesome to him in his house. She was sen

NOTE.—First sheet

G. R. S. 12]
General and Revenue Secretariat.

for File No. 61 of 190 9

Serial No.

to the District Medical and Sanit
Officer, Mysore, for observation
and that officer certified that
though insane she was
neither dangerous to herself
nor to others. The Magistrate
thereupon directed the brother
to take care of his sister, but
but the former did not do so
~~on~~ on the score of
poverty. The Dt. Magte, Mysore
now seeks the instructions of
Government as to whether in
cases of such extreme poverty
the patients of the kind in ques
may be sent to the Asylum to be
taken care of there at the cost
Govt.

2. Rule ~~number~~ 46 of the Rules
issued under the Chief Commissio
Notfn No 1141 of the 31st July 1874 lay
down that the magistrate can
direct that a lunatic should be
properly cared for and treated, i
the lunatic has a relative, who
is legally bound to take care
of him (her) but in the present ca

Serial No.

that no one of relatives has been known to be a brother & he does not seem to be legally bound to take care of her, when she falls in poverty.

3 Sec 6 of the same rules lay down that if the lunatic has any property the same may be utilised for maintaining such a lunatic. But in the present case the lunatic does not seem to possess any property of her own.

4 Submitted for orders

C.S. 12/4. 13/4/10

* The Rules are clear and there should have been no necessity for this reference.

5th (1) If the woman has no relatives bound to take care of her, then the magistrate's order in respect of maintenance may be enforced under the provisions of para 4 of the rules.

* (2) If the woman has no such relatives then the woman has to be

Serial No.

Magistrate Showed ~~Sandoo~~ to order her Commitment to the Lunatic asylum if She is unable to take Care of herself (please See para 4 of the rules).

7 The Costs of her maintenance Can be recovered from her property if any under para 6 but if She owns no Such property and has no relatives bound to take Care of her in her present State, then She must be maintained in the Asylum at the Cost of the State.

8 Whether in the present instance the woman has Got Such relatives or owns property are matters upon which the Deputy Comm^r Should obtain the orders of the Magistrate by placing before him all the available Evidence in the Case.

9 Please forward a draft letter to the Deputy Comm^r Suggesting the disposal of the reference in the light of the above remarks.

13/4/10.

P^d 14/4/10 Submitted with a draft which may be approved

15/4/10

20/4

approved 21/4/10

15 BPG—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

P/ File No. 61 of 190 9

Serial No.	
2	To The Dy. Commrs, Nyasaland No J 3213 D/ 26.4.10. Issues certain instructions and refers back the Cancel to him for disposal ~~in the light of the truth~~ in accordance therewith

No. 717
Enc. No. / Record

OFFICE OF THE Deputy Commissioner

MYSORE DISTRICT,

Dated Mysore Camp 4th April 1960.

Pris 68 of 9
8 Nos 1

To

C. S. Balasundaram Iyer, Esq., B. A.
Offg.

SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
GENERAL AND REVENUE DEPARTMENTS.

Sir;

I have the honor to State that a Woman was produced before the 1st class magistrate in Charge of the Mysore Sub Division and found on reference to the Civil Surgeon Mysore to be a lunatic dangerous to neither Self or others. The magistrate having been also Satisfied with the above in his inquiry ordered the relatives that produced her to take Care of her themselves or to bear the Cost of her maintenance in the Lunatic Asylum. The parties having pleaded their inability to do so on the Score of their poverty are reported to have neglected the patient despite the magesterial direction.

In this Connection, I beg to invite reference to the last para of G. O.

From M. Krishnaji Rao Esquire B.A.
Deputy Commissioner
Cuddapah District

To C. S. Balasundaram Esquire
Offg. Secy to the Govt of Mysore
Genl & Rev. Depts.

Dated 26th April 1910

Despatched 5th.

Received

General No. 717
No.

Enclosure No. 1 Record

Requesting Govt Orders as to whether harmless lunatic may be sent to the Asylum for maintenance by Government, in cases of extreme poverty.

G. O. no: D.2130-39 dated 16.1.40.
Dis 8-05-28

and to Solicit- orders of Government as to whether in Cases of extreme poverty the patients of the kind in question may be sent to the Asylum to be maintained there at Government Cost like Criminal lunatics.

The records received in this connection with yadi no: 1038 dated 30.3.1910 from the 1st class magistrate have also been submitted for favour of information and obliging return in original.

I have the honour to be,
Sir,
Your most obedient Servant

H. Jamanadhan
for Deputy Commissioner
Mysore District.

G.R.S. 26]

Pr

File No. 6

Serial No.

2nd 14/10

Diary No. of letter replied to J 2546

No. C 3213

General and Revenue Secretariat
(Prisons)
, *the* 190

To The Deputy Commissioner
Mymensingh District.

Date of issue 26-4-10

Signed by Mr Hirjamaing

Sir,

With reference to your letter No 717 dated the 4th April 1910 regarding maintenance and custody of one Basanta Kumar Lunatic, I am directed to invite your attention to the Rules in force under the Act for the reception and detention of lunatics in Asylums in the State, published under Chief Commissioner's Notification No 141 D/ 31st July 1874,

over.

SUBJECT.

and to state that if
the woman has relatives legally
maintain
bound to take care of her,
they may be Compelled
by an order of the Magis
under para 4, to take
proper care of her
in respect of maintenance
may be enforced under
the provisions of para 4
referred to above
of the rule, and if the
woman has no such
relatives, then the magistrate may be moved to
issue an ordering
Board or other
Commitment to the
Lunatic Asylum if
on the ground of her inability
she is unable to take
Care of herself.

The cost of her
in the asylum
maintenance can be
recovered from her
she owns
property if any under
para 6 of the Rules, but if
she owns no
property and has no
relatives bound to take
Care of her in her present
state

List of enclosures

Copied by

Examined by

GPB—10,000—20-4-06.

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

to take suitable action regarding the indemnity note in question in the light of the above observations.

state, then she must be maintained in the Asylum at the cost of the State.

I am therefore to request you to dispose of the present reference yourself by placing ~~the~~ ~~woman~~ all the available evidence in the case before the Magistrate and obtaining ~~his~~ orders as to whether ~~she~~ such relatives are bound to take care of her or whether she owns any property herself.

The file of papers received with your letter under reply are herewith returned.

I have &c

Secretary

21/4/10

C.E. SW 16/4 16/4

copies by Mirbina Quarterly 25-4-10

MGCPB—30,000—5-4-05.